

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BOBBY LAYTHEN BINFORD,

Plaintiff,

v.

TERRY BENDA, *et al*,

Defendants.

CASE NO. C06-5364RBL-KLS

ORDER

The Court, having reviewed defendants' motion for summary judgment (Dkt. #23), plaintiff's motion for judgment as a matter of law (Dkt. #24), the Report and Recommendation of United States Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion is GRANTED;
- (3) Plaintiff's motion is DENIED;
- (4) Plaintiff's complaint hereby is DISMISSED; and
- (5) The Clerk is directed to send copies of this Order to plaintiff, defendants' counsel and Magistrate Judge Karen L. Strombom.

DATED this 27th day of July, 2007.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE